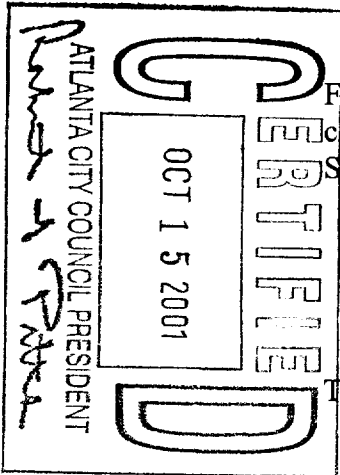


Entered - 7-6-00 - sb
CL 00L0417 - ALEXIS HOLMES

01- 12-1614

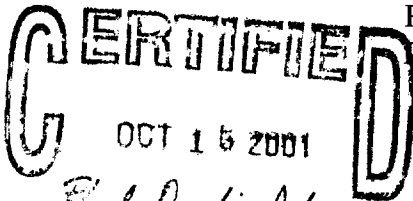
CLAIM OF: **GEORGIA POWER**
96 Annex
Atlanta, Georgia 30396



For damages alleged to have been sustained as a result of damaged cable lines on April 12, 2000 at 77 Peachtree Place and Cypress Street.

THIS ADVERSE REPORT IS APPROVED

BY: Rosalind Rubens Newell by Rosa N. Newell DCA
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY



Ronda Daughlin Johnson
MUNICIPAL CLERK

CITY COUNCIL OCT 15 2001

ADVERSE REPORT

COMM: P B L A

DATE: OCT 09 2001

CHAIR: C. F. Martin

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

October 25, 2001

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

Georgia Power
96 Annex
Atlanta, GA 30396

01-R-1614

Dear Madam/Sir:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on October 15, 2001. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: **Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0417

Date: 9/24/01

Claimant /Victim GEORGIA POWER

BY: (Atty) _____

Address: 96 Annex, Atlanta, Georgia 30396

Subrogation: _____ Claim for Property damage \$ 479.98 Bodily Injury \$ _____

Date of Notice: 7/6/00 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 4/12/00 Place: 77 Peachtree Place and Cypress Street

Department _____ Division: _____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that it sustained damages to its property when the City damaged its cable lines. However, a representative for the claimant informed the City that they do not have adequate information to determine liability, and therefore requests that its claim be withdrawn.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Other X Written _____ Oral X

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other X

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial _____

Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____

City not involved X Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned X

Respectfully submitted,


INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 09-25-01

Committee Action: _____ Council Action _____

RCS# 3186
10/15/01
3:51 PM

Atlanta City Council

Regular Session

MULTIPLE
01-R-1614

Unfavorable Claims; Items #6-#23,
#26 & #27
ADVERSE

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

Y McCarty	Y Dorsey	Y Moore	NV Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	NV Morris	Y Maddox	Y Alexander
NV Winslow	Y Muller	Y Boazman	NV Pitts

CORRECTED COPY

MULTIPLE